IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2018 OF 2004.

Shrikant Ganpati Nikam. ... Petitioner
Versus.
Surekha Shrikant Nikam & others. ... Respondents.

Shri R.R.Mahagaonkar for the Petitioner.

Ms.Sangeeta Shinde, A.P.P. for the Respondent-State.

CORAM : ABHAY S. OKA, J.

DATED : 7th June, 2005.

P.C.:

1. Heard the learned Advocate for the Petitioner. The Petitioner is the husband of the Respondent No.1. The learned Magistrate passed an order under section 125 of the Code of Criminal Procedure, 1973 directing the Petitioner to pay maintenance of Rs.800/- per month to the Respondent No.1 and Rs.600/- p.m. each to the Respondents Nos.2 and 3 who are the daughters of the Petitioner. The learned Magistrate recorded a finding of fact that the Petitioner is running a big electric shop at Satara in Rajadhani Towers Complex and he has employed about 15 workers. A finding is also recorded that the Petitioner has purchased four galas in his name and in the name of his brother and these facts have been admitted by the Petitioner in his cross-examination. The learned Magistrate has held that the registration forms of the vehicles standing in the name of the Petitioner and his brother are also produced on record.

The findings of fact have been confirmed by the learned Sessions Judge.

2. Considering the sound and stable financial condition of the Petitioner the order for payment of maintenance has been passed. No interference is called for in this petition under Article 227 of the Constitution of India.

The Writ Petition is rejected. No order as to costs.

Judge.